

ATTENTION: APPLICATIONS BRANCH



**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

ATTORNEYS AT LAW

NORMAN F. OBLON
(703) 413-3000
NOBLON@OBLON.COM

JAMES J. KELLY
(703) 413-3000
JKELLY@OBLON.COM

Re: Serial No.: 09/996,591
Applicant(s): Tamotsu KONDOW, et al.
Filing Date: November 30, 2001
For: METHODS FOR DETERMINING NUCLEOTIDE
SEQUENCES OF SINGLE NUCLEIC ACID

MOLECULES

SIR:

Attached hereto for filing are the following papers:

Filing of Declaration Under 37 CFR §1.53(f); Declaration, Power of Attorney and Petition (4 pages executed); Return Copy - Notice to File Missing Parts of Application; Preliminary Amendment w/Marked-Up Copy, Substitute Abstract and Sequence Listing Paper (10 pp.); Sequence Listing Computer Readable Form (CRF) Diskette; Request for Extension of Time (one month); Responsive to Notice to File Missing Parts of Nonprovisional Application - Fees Due and enclosed \$130.00

Our check in the amount of **\$240.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the U.S. Patent and Trademark Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Docket No. 216583US0XCONT



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/98)

Norman F. Oblon
Registration No. 24,618

James J. Kelly, Ph.D.
Registration No. 41,504

Docket No.

216583US0XCONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Tamotsu KONDOW, et al.

SERIAL NUMBER: 09/996,591

FILING DATE: November 30, 2001

FOR: METHODS FOR DETERMINING NUCLEOTIDE
SEQUENCES OF SINGLE NUCLEIC ACID MOLECULES

ATTN: APPLICATION BRANCH **O I P E**



FILING OF DECLARATION UNDER 37 CFR 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated December 31, 2001, and in accordance with the provisions of 37 CFR 1.53(f),
Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is
earnestly solicited.

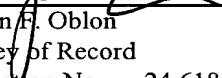
Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/98)



Norman F. Oblon
Attorney of Record
Registration No. 24,618

James J. Kelly, Ph.D.
Registration No. 41,504



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/996,591	11/30/2001	Tamotsu Kondow	216583US0XCONT

22850
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

CONFIRMATION NO. 3947

FORMALITIES LETTER



OC000000007246066

Date Mailed: 12/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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■ For Rules Interpretation, call (703) 308-4216
04/02/2002 BNGUYEN1 00000041 09996591

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OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, P.C.

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



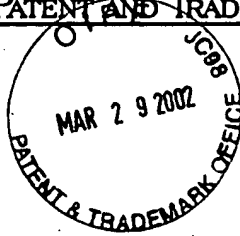
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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**ATTACHMENT TO "NOTICE TO COMPLY WITH
REQUIREMENTS...SEQUENCE DISCLOSURES"**

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be submitted using one of the following methods:

1. Electronically submitted through EFS-Bio
(<http://www.uspto.gov/ebs/efs/downloads/documents.htm>, EFS Submission User Manual - ePAVE)
2. Mailed to:
U.S. Patent and Trademark Office
Box Sequence, P.O. Box 2327
Arlington, VA 22202
3. Mailed by Federal Express, United Parcel Service or other delivery service to:
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4. Hand Carried directly to the Customer Window at:
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